

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

**IN RE: TLI COMMUNICATIONS LLC
PATENT LITIGATION**

MDL No. 1:14md2534

This document relates to ALL member cases

DEFENDANTS' CONSOLIDATED MOTION TO DISMISS
PURSUANT TO RULE 12(B)(6)

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Defendants will and hereby move the Court to enter an order dismissing Plaintiff TLI Communications LLC's Complaint because the system and apparatus claims 1-16 and 25-26 of asserted U.S. Patent No. 6,038,295 ("the '295 patent") are invalid as indefinite under 35 U.S.C. § 112 and all claims, including method claims 17-24, of the '295 patent are invalid under 35 U.S.C. § 101 for lack of patentable subject matter, as set forth in greater detail in the accompanying papers in support of this motion.

To the extent the Court declines to rule at this time that all claims of the '295 patent are invalid, Defendants request that the Court grant Defendants' Motion to Dismiss as to (i) Plaintiff's claims of joint direct infringement of claims 1-26 of the '295 patent; (ii) Plaintiff's claims of direct infringement of claims 17-24 against the User Defendants; (iii) Plaintiff's claims of indirect infringement of claims 1-26 of the '295 patent, including such claims based on pre-suit knowledge of the '295 patent; (iv) the bulk of Plaintiff's claims of direct infringement against the Platform Defendants, including such claims under 35 U.S.C. § 271(f); and (v) Plaintiff's request for enhanced damages.

Dated: November 5, 2014

Respectfully submitted,

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I hereby certify that on the 5th day of November, 2014, I will electronically file the foregoing DEFENDANTS' CONSOLIDATED NOTICE OF MOTION TO DISMISS PURSUANT TO RULE 12(B)(6) with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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